

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOINT MOTION FOR CONTINUANCE OF STATUS CONFERENCE
AND TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, and the defendant, by and through his attorney Carl Donaldson, Esq., jointly move to continue the Status Conference currently scheduled for October 19, 2004 at 10:00 a.m until November 30, 2004 at 10:15 a.m. As grounds therefore, the parties state that the parties need this additional time to negotiate a possible plea agreement.

Additionally, the parties move, pursuant to 18 U.S.C. §3161 (h)(8)(A), to exclude the period of time commencing on October 19, 2004 and ending on November 30, 2004. As grounds therefor, the parties state that the interests of justice are best served by allowing the parties additional time to negotiate a possible plea agreement.

WHEREFORE, the parties respectfully request, under 18 U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested continuance and exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, grant the continuance as requested above and exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully Submitted,

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By his attorney

/s/Carl Donaldson
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/s/ Seth P. Berman
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October 18, 2004